

UNITED STATES DISTRICT COURT

for the

Northern District of California

THE BOARD OF TRUSTEES (See Attachment A
to Summons in a Civil Action)

Plaintiff

v.

JUAN MANUEL NUNEZ (See Attachment A to
Summons in a Civil Action)

Defendant

CV 08

3510

Civil Action No.

Summons in a Civil Action

To: Juan Manuel Nunez, Individually, Juan Manuel Nunez, Individually and doing
(Defendant's name) business as Acequia Cement, and Acequia Cement

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Barry E. Hinkle, Bar No. 071223

Phone: (510) 337-1001

Patricia A. Davis, Bar No. 179074

Concepcion E. Lozano-Batista, Bar No. 227227

WEINBERG, ROGER & ROSENFELD, A Professional Corporation

1001 Marina Village Parkway, Suite 200, Alameda, CA 94501-1091

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Richard W. Wieking

Name of clerk of court

ANNA SPRINKLES

Deputy clerk's signature

Date: July 22 21, 2008

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____,
by:

- (1) personally delivering a copy of each to the individual at this place, _____; or
- (2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
who resides there and is of suitable age and discretion; or
- (3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
_____; or

returning the summons unexecuted to the court clerk on _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

Date: _____

Server's signature

Printed name and title

Server's address

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Attachment A to Summons in a Civil Action

THE BOARD OF TRUSTEES, in their capacities as Trustees of the LABORERS HEALTH AND WELFARE TRUST FUND FOR NORTHERN CALIFORNIA; LABORERS VACATION-HOLIDAY TRUST FUND FOR NORTHERN CALIFORNIA; LABORERS PENSION TRUST FUND FOR NORTHERN CALIFORNIA; and LABORERS TRAINING AND RETRAINING TRUST FUND FOR NORTHERN CALIFORNIA,

Plaintiffs,

v.

JUAN MANUEL NUNEZ, Individually, JUAN MANUEL NUNEZ, Individually and doing business as ACEQUIA CEMENT, and ACEQUIA CEMENT,

Defendants.